

Mr. SPEAKER.—We have to see whether the House gives leave or not.

If I am to ascertain whether the House grants leave or not, it must be under sub-rule (2). It requires that there should be some Member raising objection for leave being granted.

2-30 P.M.

Sri DIGAMBAR RAO B. KALMANKAR.—Before this rule 54 (2) is considered, I would submit that this matter was taken up yesterday and at that time, the Hon'ble Minister for Parliamentary Affairs did not express any opposition to the motion, that was tabled by Mr. Shettar. He even said that he would not object. My submission is that Rule 54 (2) can be applied only if an objection has been raised. We on this side have no objection for the motion.

Mr. SPEAKER.—The rule does not say this side or that side.

Sri DIGAMBAR RAO B. KALMANKAR.—Even Members on the other side had no objection. Therefore this sub-rule (2) will not come into play and there is no need to take the sense of the House. I suggest that Mr. Shettar may be permitted to move the adjournment motion.

Sri S. S. SHETTAR.—Yesterday, the Hon'ble Minister for Parliamentary Affairs said that he has no objection for the adjournment motion being taken up.

Mr. SPEAKER.—The time allotted for the Motion of Thanks is being consumed. Time and tide wait for no man. The rule says that if any objection is raised, the Chair should put it to the House and if 20 members give their consent for leave being granted, the Speaker shall intimate that leave is granted and the other procedure will follow.

I will now put it to the House and ascertain the wishes of the House. Under rule 54 (2) I request the Members who are in favour of leave being granted to rise in their places.

[More than 20 Members stood up]

Since there are more than 20 members standing, I have to inform the Hon'ble member Mr. Shettar that the House is deemed to have granted leave. The debate cannot begin immediately. Rule 55 says that the motion shall be taken up one hour before the appointed time for the conclusion of the business of the day. The business of the day concludes at 6-00 P.M. Therefore the motion may be taken up at 5-00 P.M.

Sri VATAL NAGARAJ.—What happens to my adjournment motion Sir?

Mr. SPEAKER.—The subject matter is the same. If one is admitted, the other motion will not arise.

(MR. SPEAKER)

Now the motion of thanks by Sri K. H. Srinivas. I heard also a lot of remarks and comments about this matter, which is more imaginary than real. I looked into the proceedings. One set of Members were saying that it has not been moved. Another set of Members were saying that it has been moved. The point was, if it has been moved, where is the need for the Speaker asking him to move again. It was a sort of fluid state. Moving a motion means that a person must give notice of the motion. That notice must be given to the Secretary and admissibility has to be tested and admitted. After it is admitted, it must be brought on the Agenda and at the appropriate time, the member concerned must get up and say : I beg to move. According to this procedure, this motion is included in the Agenda.

Sri DIGAMBAR RAO B. KALMANKAR.—There is one point of order. The Hon. Speaker said just now that yesterday whatever has transpired in the House, was heard by him. That means, the Speaker was present in his chamber. If this is so, my submission is that all the proceedings that took place yesterday is not as per the code of procedure because what Rule 11 says is:

“When by reason of illness or absence from India or for any other sufficient cause, the Speaker is unable to exercise any of his powers or discharge any of his functions,.....”

When the Speaker was in his chambers, he was hearing all that transpired here. That means, he was in a position to work. It cannot be, therefore, said that he was ill. If he was not ill, it was because he was here. He was not outside India. Therefore, it may be ruled whether the proceedings of yesterday were legal or not.

Mr. SPEAKER.—I was not out of India is crystal clear.

An HON'BLE MEMBER.—We were given to understand that you were not well.

Mr. SPEAKER.—I may be well even when I am outside India. I may be ill even when I am in India. These ideas must be kept in view. Otherwise, we will be spending the precious time of the House on hypothetical and imaginary debates. The point of order raised is that I said I heard. I stated that I have heard what has happened today. That yesterday I was not in the House, is also fairly clear at the time this is said to have happened. The question is whether rules have been complied with or not. In response to rules, agenda was prepared and this was included in the list of business. Sri Srinivas was called upon by the Deputy Speaker who was in the Chair and he began to read it. The only objection raised was that perhaps it was not fully audible or comprehended. The rule does not make conditions like that for the propriety of the proceedings. If those are the tests, any two or three members can

invalidate all the proceedings talking loudly all the while. I am not very much influenced by the trend of the debate. I have looked into the records. The Speaker proposes a motion, after it is moved. The Speaker ascertains the sense of the House by taking vote or by other ways provided in the rules. Therefore, the operative part is the reading of the Motion and its proposal to the House by the Chair. the reading of the motion and its proposal are the really operative part so that the motion comes within the cognisance of the House. It is also clear that if a motion is to be withdrawn, it has to be withdrawn with the leave of the House ; that is, because it becomes the property of the House.

Sri K. H. PATIL (Gadag).—A decision has been given by the Chair. When he said that he has moved the motion, I took objection and raised a point of order and the Deputy Speaker then in the Chair was kind enough to give a ruling that no motion has been moved. It may be moved today. Let it be moved ; we will be saving time.

Mr. SPEAKER.—I suppose that is the sense of the House. Mr. Srinivas may kindly move it.

ಶ್ರೀ ಕೆ. ಎಚ್. ಶ್ರೀನಿವಾಸ (ನಾಗರ).—ನನ್ನಾನ್ಯ ಅಧ್ಯಕ್ಷರೇ,

“ದಿನಾಂಕ ಫೆಬ್ರವರಿ 19, 1968 ರಂದು ವಿಧಾನ ಮಂಡಲದ ಸದಸ್ಯರನ್ನು ದ್ವೇಷಿಸಿ ದಯಪಾಲಿಸಿದ ಭಾಷಣಕ್ಕಾಗಿ ಈ ಅಧಿವೇಶನದಲ್ಲಿ ಸೇರಿರುವ ವಿಧಾನ ಸಭೆಯ ಸದಸ್ಯರಾದ ನಾವು ರಾಜ್ಯಪಾಲರವರಿಗೆ ಕೃತಜ್ಞತಾ ಪೂರ್ವಕವಾದ ವಂದನೆಗಳನ್ನು ಸಮರ್ಪಿಸಲು ಅಪ್ಪಣೆ ಕೊಡುತ್ತೇವೆ”

ಈ ಕೃತಜ್ಞತಾ ನಿರ್ಣಯವನ್ನು ಸಾಂಪ್ರದಾಯಿಕವಾಗಿ ಸೂಚಿಸಲು ನಾನು ತುಂಬಾ ಸಂತೋಷಪಡುತ್ತೇನೆ.

ಅಧ್ಯಕ್ಷರು.—ಮಾನ್ಯ ಸದಸ್ಯರು ಸೂಚನೆಯನ್ನು ಮಂಡಿಸಿದ್ದಾರೆ.

ಶ್ರೀ ಎನ್. ಎಂ. ಕೊಟ್ಟರವಯ್ಯ ಸೋಗಿ (ಹಡಗಲ).—ನಾನು ಈ ಸೂಚನೆಯನ್ನು ಅನುಮೋದಿಸುತ್ತೇನೆ.

Mr. SPEAKER.— Motion moved :

“That we the members of the Mysore Legislative Assembly assembled in this session beg leave to thank the Governor for the address delivered to the members of the Legislature on the 19th February 1968.”

What about these amendments ? Are all the members present ? I request all the Hon' Members who have suggested amendments to be present in the House. If they are in the Lounge, a message can be sent to them. Otherwise, they will be disallowed.

Sri S. D. KOTHAVALA (Sankeshwar).—Sir, the amendments should be taken as moved ; otherwise, we will lose lot of time.

Mr. SPEAKER.—Yes.